

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. James E. Goepel, Reg. No. 50851, on 12/17/2008.
3. The specification had been amended as follows:
  - a. Page 1, line 5, insert ",now US Patent No. 6742086" after "(Docket 041-477-L)";
  - b. Page 1, line 10, insert ",now US Patent No. 7275249" after "(Docket 618-L)";
  - c. Page 4, line 30, replace "th CPUs in th" with "the CPUs in the";
  - d. Page 5, line 30, replace "proc ssor" with "processor";
  - e. Page 6, line 30, replace "Y t" with "Yet"; line 31, replace "th pres nt invention gen rally" with "the present invention generally";
  - f. Page 7, line 30, replace "storag, as opposed to th method" with "storage, as opposed to the method"; line 31, replace "concern d" with "concerned";
  - g. Page 8, line 1, replace "relat d" with "related"; line 30, replace "d termining" with "determining";
  - h. Page 11, line 1, replace "multitude" with "multitude"; line 30, replace "s v ral" with "several"; line 31, replace "d parting" with "departing";

- i. Page 14, line 28, replace "th single proc ssor" with "the single processor";
  - j. Page 15, line 1, replace "p rc ntage" with "percentage";
  - k. Page 18, replace "p rcentage to consum" with "percentage to consume";
  - l. Page 19, line 1, replace "som or all of the proc ssor r sources" with "some or all of the processor resources";
  - m. Page 20, line 30, replace "proc ssors" with "processors";
  - n. Page 21, line 1, replace "th processor affinity demonstrations g nerally" with "the processor affinity demonstrations generally"; line 29, replace "Det rmin which proc ssors" with "Determine which processors";
  - o. Page 24, line 31, replace "sp cified" with "specified";
  - p. Page 26, line 30, replace "compl ted (diamond 122). If the answ r" with "completed (diamond 122). If the answer";
  - q. Page 29, line 30, replace "soak rs" with "soakers";
  - r. Page 30, line 1, replace "pres nt system permits sel ction" with "present system permits selection".
2. Amend claim 9 as follow: Claim 9, replace lines 1-4 with "In a network of affiliated processors (CPUs), a computer system for selecting a subset group of said processors (CPUs) to be utilized for processing a total workload comprising:".

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer N. To whose telephone number is (571) 272-7212. The examiner can normally be reached on M-T 6AM- 3:30 PM, F 6AM- 2:30 PM.
5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Meng-Ai An/  
Supervisory Patent Examiner, Art Unit 2195

/Jennifer N. To/  
Patent Examiner  
Art Unit 2195